



CITY OF DETROIT
LAW DEPARTMENT

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April 5, 2019

Katlyn Alapati
MuckRock News
DEPT MR 68501
411A Highland Ave
Somerville, MA 02144

**RE: Freedom of Information Act Request No. A19-01025, Dated February 5, 2019,
Concerning City of Detroit Records Pertaining to Property Maintenance
Complaint Records**

Dear Ms. Alapati:

This letter serves as the City of Detroit's response to the above-referenced matter. Your request was received at the City of Detroit Law Department Freedom of Information Act Section, via email, on February 5, 2019. Because your request was received by electronic transmission, pursuant to Section 5(1) of the Michigan Freedom of Information Act (the "Act"), MCL 15.235(1); it is deemed to have been received at the Law Department on the next business day, February 6, 2019. On February 14, 2019, we sent a letter requesting a deposit payment pursuant to Section 4(8) of the Act, MCL 15.234(8).

On March 11, 2019, we received a check from you in the amount of \$103.10 in accordance with our letter of February 14, 2019.

Based on our review of the record from the Buildings, Safety Engineering and Environmental (BSEED), we are granting your request. In addition, pursuant to our conversation on April 2, 2019, all owner addresses have been removed.

The redacted record for the BSEED consists of one (1) disc. However, because it took the BSEED personnel four (4) hours to search and examine the record, in accordance with Section 4(1)(a) of the Act, MCL 15.234(1)(a), we require that you submit the remaining balance of the labor costs incurred by the City prior to your review of the record.

The hourly rate of the lowest paid BSEED personnel capable of completing the task of search and examination is \$37.84[\$27.97 per hour + \$9.87 in fringe benefit (37.5% of \$27.97)]. As such, the BSEED incurred One Hundred Fifty One and 36/100 Dollars (\$151.36)[\$37.84 per hour x 4 hours], in labor costs while processing this portion of your request. In that regard, since we received \$103.10 on March 11, 2019, we are now requesting that you pay the remainder of the balance of the actual labor costs.

Should you wish to pick up a copy of the record, please contact Andrea Hackett, at 313-237-0418, to schedule an appointment. Please note we charge \$1.00 per disc. For payment, please submit a check or money order in the amount of Forty Nine and 26/100 Dollars



Katlyn Alapati
April 5, 2019
Page 2

(\$49.26)[(\$151.36 in labor costs) – (\$103.10 in deposit payment) + (\$1.00 per disc x 1 disc)] Please note we do not accept cash or process credit/debit card payment. Upon receipt of payment, we will provide you with one (1) copy of the record.

Should you wish for us to mail you a copy of the record, please submit a check or money order payable to the "City of Detroit" in the amount of Fifty and 26/100 Dollars (\$50.26)[\$48.26 in labor costs + \$1.00 in copying costs + \$1.00 in postage]. Upon receipt of payment, we will mail you one (1) copy of the record.

Please note that pursuant to Section 10 and 10a of the Act, MCL 15.240 and 15.240a, a person receiving a written denial of a request or receiving a letter to submit the labor costs may do one of the following:

- 1) Submit a written appeal to the head of the public body denying the request. Such appeal, if submitted, should specifically state the word "appeal" and identify the reason or reasons for reversal of the disclosure denial. MCL 15.240(1)(a) and MCL 15.240a(1)(a); or
- 2) Commence an action in the circuit court to compel the disclosure of the public records within 180 days after the public body's denial of the request, MCL 15.240(1)(b), or 45 days after the public body's request for labor costs, MCL 15.240a(1)(b). If a court finds that the information withheld by a public body is not exempt from disclosure, or that the labor costs requested by the public body exceeds the amount permitted, the requesting party may receive the requested record and, at the discretion of the court, reasonable attorney fees and /or cost. MCL 15.240(6) and (7), and MCL 15.240a(6) and (7).

When contacting our office regarding this request, please include the request number listed in the subject line above. **For your information, please note that a public summary of City of Detroit FOIA procedures and guidelines is available on the City's website, www.detroitmi.gov, under "How Do I..." and "File".**

Very truly yours,

Kathryn M. Levasseur
Assistant Corporation Counsel
FOIA Section
(313) 237-3034
levasseurk@detroitmi.gov

emails		File Number: A19-01025		
Line	Reference	Component	Amount	Subtotal
1	§ 4(2)	Fringe benefit multiplier rate, maximum 50%	35.320%	
2	§ 4(1)(a)	Labor for searching & examining to fulfill request		
3		hourly wage of lowest paid employee capable of work	\$27.97	
4		fringe benefit multiplier @ 35.32%	135.3%	
5	Dept.	modified hourly wage = line 3* line 4	\$37.84	
6		number of hours, rounded down to .25 increment	4	
7		line 5 multiplied by line 6		\$151.36
8		hourly wage of lowest paid employee capable of work		
9		fringe benefit multiplier @ 35.32%	135.3%	
10	Dept.	modified hourly wage = line 8* line 9		
11		number of hours, rounded down to .25 increment		
12		line 10 multiplied by line 11		
13		Total - Labor for searching & examining		\$151.36
14	§ 4(1)(b)	Labor for reviewing and redacting		
15		hourly wage of lowest paid employee capable of work		
16		fringe benefit multiplier @ 35.32%	135.3%	
17		modified hourly wage = line 15* line 16		
18		number of hours, rounded down to .25 increment		
19		line 17 multiplied by line 18		
20		Total - Labor for reviewing and redacting		\$0.00
21	§ 4(1)(e)	Labor for duplicating		
22		hourly wage of lowest paid employee capable of work		
23		fringe benefit multiplier @ 35.32%	135.3%	
24	Dept.	modified hourly wage = line 22* line 23		
25		Number of hours, rounded down to next increment		
26		line 24 multiplied by line 25		
27		hourly wage of lowest paid employee capable of work		
28		fringe benefit multiplier @ 35.32%	135.3%	
29	Dept.	modified hourly wage = line 28* line 29		
30		Number of hours, rounded down to next increment		
31		line 29 multiplied by line 30		
32		Total - Labor for duplicating		\$0.00
33		TOTAL Labor costs - sum of lines 13, 20, and 32:		\$151.36
34	§ 4(9)	Reduction in labor costs for late written response		
35		number of business days late	0	
36		reduction at 5% / day = 0.05 x line 35	0%	
37		maximum reduction	50%	
38		lesser of line 36 or line 37	0%	
39		Reduced amount = line 38 x line 33		\$0.00
40		Amount Chargeable for Labor Costs, after applicable reduction:		\$151.36

CONTINUED ON NEXT PAGE

FOIA Fee Itemization Form

pursuant to MCL 15.234(4),
effective January 1, 2019

Line	emails Reference	Component	Amount	Subtotal	Total
40		Amount Chargeable for Labor Costs, after applicable reduction (copied from page 1):			\$151.36
41	§ 4(1)(d)	Actual cost of paper copies			
42		number of 8½ x 11 or 8½ x 14 sheets	0		
43		price for 8½ x 11 or 8½ x 14 sheets	\$0.10		
44		line 42 multiplied by line 43			
45		color or other size copies, size: ____ x ____			
46		actual price per page			
47		line 45 multiplied by line 46			
48		color or other size copies, size: ____ x ____			
49		actual price per page			
50		line 48 multiplied by line 49			
51		Total - cost of paper copies			\$0.00
52	§ 4(1)(c)	Actual cost of electronic media			
53		Number of CD's @ \$1.00	1	\$1.00	
54		Number of Flash Drives			
55		Number of Tapes			
56		Other:			
57		Sum of lines 53 - 56		\$1.00	
58		Total - cost of electronic media			\$1.00
59		Costs of paper copies and electronic media - sum of lines 51 and 58:			\$1.00
60	§ 4(2)	Reduction for indigency or qualifying non-profit			
61		Affidavit/information provided: Y/N?			\$0.00
62		Net Charge after any reductions, but not less than zero - sum of lines 40, 59, and 61:			\$152.36
63		Sum of deposits, previous payments, other credits:	\$103.10		
64		CREDIT - for deposits and other previous payments:			(\$103.10)
65		<i>IF Records are emailed or viewed in person without copies:</i>			
66		Cost if VIEWED IN PERSON - sum of lines 40 and 61 (but not less than zero), offset by any credit listed in line 64:			\$48.26
67		<i>IF Records are picked up:</i>			
68		Cost if RECORDS are PICKED UP - line 62, offset by any credit listed in line 64:			\$49.26
69		<i>IF records are mailed:</i>			
70	§ 4(1)(f)	Actual cost of mailing			
71		postage	\$1.00		
72		Cost of mailing:			\$1.00
73		Cost if RECORDS are MAILED - sum of lines 62 and 72 (but not less than zero), offset by any credit listed in line 64:			\$50.26